

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

Nov 15 2018
Clerk, U.S. District
Court
Western District of
Texas

By: CR
Deputy

UNITED STATES OF AMERICA

vs.

(1) GILGRACIER DE ALMEIDA

Defendant.

**JUDGMENT IN A CRIMINAL CASE
(For A Petty Offense) - Short Form**

The defendant, Gilgracier De Almeida, was represented by counsel, Henry Lawrence Chisolm.

The defendant pled guilty to the complaint on November 16, 2018. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325(a)(1)	IMPROPER ENTRY BY AN ALIEN	November 10, 2018

As pronounced on November 16, 2018, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of **Time Served**. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because of reasonable efforts to collect this assessment are not likely to be effective.

Signed on this day, November 15, 2018.



ANNE T. BERTON
UNITED STATES MAGISTRATE JUDGE

United States District Court
Western District of Texas
El Paso Division

INITIAL APPEARANCE, PLEA AND SENTENCE

Case Number: EP:18-M -08358(1) ATB

DEFENDANT'S NAME:
 Gilgracier De Almeida

ATTY FOR DEFENDANT:
 Henry Lawrence Chisolm

JUDGE: ANNE T. BERTON
 DEPUTY CLERK: Cecilia Rodriguez
 COURT REPORTER: ERO

DATE: November 16, 2018

AUSA: Miguel Acosta
 INTERPRETER: Yes No
 PROB. OFFICER _____
 PRETRIAL OFFICER _____
 TIME: 0 Minutes 4:28-4:40 p.m.

PROCEEDINGS

DFT NO. [DftNo1] [DftNo2]

<input checked="" type="checkbox"/>	INITIAL APPEARANCE HELD	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	ARRAIGNMENT HELD	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	DFT INFORMED OF RIGHTS/oral consent to plea	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	GUILTY DEFT [DftNo1] COUNT(S): <u>COMPLAINT</u>		
<input checked="" type="checkbox"/>	GUILTY PLEA ACCEPTED BY THE COURT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Information Filed On _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Motion to Dismiss Complaint filed on _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Court Grants Motion to Dismiss on _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Order Dismissing Complaint entered on _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Oral Motion by AUSA to Remit Special Assessment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Oral Order Granting Oral Motion to Remit Special Assessment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	SENTENCING HELD: Defendant sentenced to Time Served ; No Fine; S/A REMITTED.		

OTHER: _____

United States District Court
Western District of Texas
El Paso Division

FILED
Nov 16 2018
Clerk, U.S. District Court
Western District of
Texas
By: _____ *CR*
Deputy

UNITED STATES OF AMERICA

vs.

(1) GILGRACIER DE ALMEIDA

§
§
§ No: EP:18-M -08358(1)
§
§

Defendant

ORDER APPOINTING COUNSEL

The above Defendant has testified under oath, or has otherwise satisfied this Court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Therefore, in the interests of justice, Henry Lawrence Chisolm, is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of the Court.

It is, accordingly, so **ORDERED** this the 16th day of November, 2018.



ANNE T. BERTON
UNITED STATES MAGISTRATE JUDGE

United States District Court

Western District of Texas

El Paso Division

FILED

November 16,
2018

Clerk, U.S. District Court
Western District of
Texas

By: *[Signature]* Deputy

UNITED STATES OF AMERICA

§

§

vs.

§

Case Number: EP:18-M -08358(1)

§

(1) GILGRACIER DE ALMEIDA

§

§

Defendant

**ORDER SETTING INITIAL APPEARANCE/ MISD
ARRAIGNMENT**

IT IS HEREBY ORDERED that the above entitled and numbered case is set for INITIAL APPEARANCE/ MISD ARRAIGNMENT in Magistrate Courtroom, Room 412, on the 4th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX, on:

Thursday, November 15, 2018, at 03:00 PM

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

IT IS SO ORDERED this **November 16, 2018**.



ANNE T. BERTON
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

USA §
vs. § CRIMINAL COMPLAINT
(1) GILGRACIER DE ALMEIDA § CASE NUMBER: EP:18-M -08358(1) - ATB
§
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **November 10, 2018** in **El Paso** County, in the **WESTERN DISTRICT OF TEXAS** DEFENDANT did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"The Defendant, Gilgracier DE ALMEIDA, an alien to the United States and a citizen of Brazil, entered the United States from the Republic of Mexico by crossing the Rio Grande River on November 10, 2018, approximately .47 miles west of the Paso Del Norte Port of Entry at El Paso, Texas, in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers."*

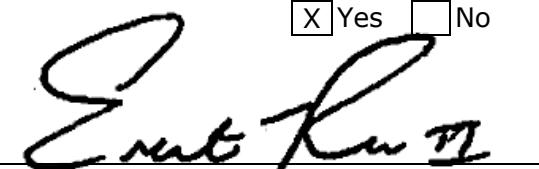
Continued on the attached sheet and made a part hereof:

Yes No

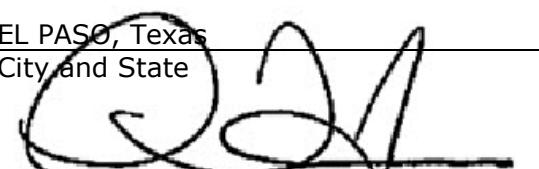
Sworn to before me,

November 16, 2018
Date

ANNE T. BERTON
UNITED STATES MAGISTRATE JUDGE


Signature of Complainant
Rubio III, Ernesto
Border Patrol Agent

at EL PASO, Texas
City and State


Signature of Judge
**OATH TELEPHONICALLY SWORN
AT 01:19 P.M.
FED.R.CRIM.P. 4.1(b)(2)(A)**

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

(1) GILGRACIER DE ALMEIDA

FACTS (CONTINUED)

The Defendant, Gilgracier DE ALMEIDA, an alien to the United States and a citizen of Brazil, entered the United States from the Republic of Mexico by crossing the Rio Grande River on November 10, 2018, approximately .47 miles west of the Paso Del Norte Port of Entry at El Paso, Texas, in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

NONE

CRIMINAL HISTORY:

NONE